

Calendar No. 468

110TH CONGRESS
1ST SESSION**S. 1769****[Report No. 110–219]**

To amend the Communications Act of 1934 to facilitate number portability
in order to increase consumer choice of voice service provider.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2007

Mr. STEVENS (for himself and Mr. INOUE) introduced the following bill;
which was read twice and referred to the Committee on Commerce,
Science, and Transportation

NOVEMBER 2, 2007

Reported by Mr. INOUE, without amendment

A BILL

To amend the Communications Act of 1934 to facilitate
number portability in order to increase consumer choice
of voice service provider.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Same Number Act of
5 2007”.

1 **SEC. 2. VOICE SERVICE NUMBER PORTABILITY.**

2 (a) IN GENERAL.—Title VII of the Communications
3 Act of 1934 (47 U.S.C. 601 et seq.) is amended by insert-
4 ing after section 714 the following:

5 **“SEC. 715. NUMBER PORTABILITY.**

6 “(a) IN GENERAL.—A provider of voice services has
7 the duty to provide, to the extent technically feasible, num-
8 ber portability in accordance with requirements prescribed
9 by the Commission.

10 “(b) STANDARDS.—

11 “(1) IN GENERAL.—Within 270 days after the
12 date of enactment of the Same Number Act of 2007,
13 to facilitate consumer choice among voice service
14 providers the Commission shall establish number
15 portability performance standards for voice service
16 providers that, at a minimum—

17 “(A) identify classes of ports;

18 “(B) where appropriate, establish expedi-
19 tious time frames for each class of port, which
20 may include timeframes for different stages of
21 the porting;

22 “(C) establish requirements governing the
23 exchange of data between voice service pro-
24 viders in connection with porting a number, in-
25 cluding any limits on customer validation fields

1 or other data fields that may be required by
2 voice service providers; and

3 “(D) encourage the reasonable automation
4 of the porting process.

5 “(2) FLEXIBILITY.—In adopting performance
6 standards under paragraph (1), the Commission
7 may establish more flexible standards for different
8 classes of providers within a type of voice service
9 provider if the Commission determines that the uni-
10 form application of a single standard or time frame
11 for compliance would result in unreasonable compli-
12 ance costs for a class of providers.

13 “(3) PUBLIC ACCESS TO TIMEFRAMES.—The
14 Commission shall make available to the public on its
15 Internet website any standard timeframes estab-
16 lished by the Commission under paragraph (1).

17 “(c) PORTING REPORTING.—

18 “(1) PROVIDERS.—Beginning 1 year after the
19 date on which the Commission issues a final rule
20 under subsection (b) establishing number portability
21 performance standards for voice service providers, a
22 voice service provider shall submit a report each year
23 to the Commission on its number portability activity
24 during the preceding 12 months, including a state-
25 ment of the number of ports it failed to complete

1 within the time required by the standards, and an
2 explanation of the reason for such failures.

3 “(2) COMMISSION.—Beginning 1 year after the
4 date on which the Commission issues the final rule
5 under subsection (b), the Commission shall submit a
6 report each year to the Senate Committee on Com-
7 merce, Science, and Transportation and the House
8 of Representatives Committee on Energy and Com-
9 merce on the effectiveness and efficiency of the num-
10 ber portability performance standards for voice serv-
11 ice providers established under this section.

12 “(3) SUNSET.—The requirements of this sub-
13 section shall cease to apply 60 months after the date
14 on which the Commission issues such final rule.

15 “(d) NUMBERING ADMINISTRATION.—

16 “(1) COMMISSION AUTHORITY AND JURISDIC-
17 TION.—The Commission shall designate 1 or more
18 impartial entities to administer telecommunications
19 and voice service numbering and to ensure that
20 numbers are available on an equitable basis. The
21 Commission has exclusive jurisdiction of those por-
22 tions of the North American Numbering Plan that
23 pertain to the United States. Nothing in this sub-
24 section precludes the Commission from delegating to

1 State Commission or other entities all or a portion
2 of such jurisdiction.

3 “(2) COSTS.—The costs of establishing num-
4 bering administration arrangements and number
5 portability shall be borne by all voice service pro-
6 viders on a competitively neutral basis, as deter-
7 mined by the Commission.

8 “(3) UNIVERSAL EMERGENCY TELEPHONE
9 NUMBER.—The Commission and any agency or enti-
10 ty to which the Commission has delegated authority
11 under section 715(e) shall designate 9–1–1 as the
12 universal emergency telephone number within the
13 United States for reporting an emergency to appro-
14 priate authorities and requesting assistance. The
15 designation shall apply to both wireline and wireless
16 telephone service. In making the designation, the
17 Commission (and any such agency or entity) shall
18 provide appropriate transition periods for areas in
19 which 9–1–1 is not in use as an emergency tele-
20 phone number on the date of enactment of the Wire-
21 less Communications and Public Safety Act of 1999.

22 “(e) VOICE SERVICE DEFINED.—In this section, the
23 term ‘voice service’ means—

24 “(1) a telecommunications service; or

1 “(2) any service that is not a telecommuni-
2 cations service, but that otherwise is an IP-enabled
3 voice service as defined in section 9.3 of the Com-
4 mission’s regulations (47 C.F.R. 9.3), as those regu-
5 lations may be amended by the Commission from
6 time to time.”.

7 (b) CONFORMING AMENDMENTS.—Section 251 of the
8 Communications Act of 1934 (47 U.S.C. 251) is amend-
9 ed—

10 (1) by striking subsection (b)(2) and redesignig-
11 nating paragraphs (3), (4), and (5) of subsection (b)
12 as paragraphs (2), (3), and (4), respectively; and

13 (2) by striking subsection (e) and redesignating
14 subsections (f), (g), (h), and (i) as subsections (e),
15 (f), (g), and (h), respectively.

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